



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

NOV 12 2004

DOT-E 7073
(NINTH REVISION)

EXPIRATION DATE: June 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Ethyl Corporation
Richmond, VA

(See Appendix A of this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain hazardous materials listed in paragraph 6 in non-DOT specification portable tanks. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.242(c), § 173.243(c), § 173.244(c), and § 174.63(c)(1) in that non-DOT Specification portable tanks are not authorized except as specified herein.

5. BASIS: This exemption is based on the application of Ethyl Corporation dated October 24, 2003 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Flammable liquid, n.o.s. (contains Petroleum distillates)	3	UN1993	III
Flammable liquid, toxic, n.o.s. (Xylene; Methylcyclopentadienyl manganese tricarbonyl)	3	UN1992	III
Motor fuel anti-knock mixtures	6.1	UN1649	I
Metal carbonyls, n.o.s. (Methyl- cyclopentadienyl manganese tricarbonyl)	6.1	UN3281	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification portable tank in an ISO frame having a design pressure of 6.9 bar (100 psi) gauge and constructed in accordance with Luther-Werke drawings 1-1.1465.01, Rev. C; 1-1.1465, Rev B; 2-1.1465.03 and related drawings on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The tank must have a maximum water capacity of 10,000 liters (2,642 US gallons) and a maximum gross mass of 24,000 kilograms (52,910 pounds). The tank must be equivalent to a DOT specification 51 portable tank in strength and efficiency. Any change in construction drawings must be approved by OHMEA before the change is made. Tanks made in accordance with Luther-Werke drawing 1-1.1465, Rev. A must be retrofitted to comply with drawing 1-1.1465, Rev. B or Ethyl Corporation's drawings 432210300 Rev. 0; 452110100 Rev. 0, and 45110200 Rev. 0, no later than March 31, 1980.

b. OPERATIONAL CONTROLS -

(1) Each tank must be filled so that there is at least 2.5 percent outage at 50°C (122°F). In addition, the tank must not be liquid full at 55°C (131°F).

(2) Each tank's safety relief valve must be capable of discharging liquid at a rate of 189 liters (50 gallons) per minute at a pressure of 6.9 bar (100 psi) gauge.

8. SPECIAL PROVISIONS:

a. Each tank must be (i) visually inspected prior to each trip to ensure that it has not been damaged on the previous trip; (ii) visually inspected at least once every 2-1/2 years as prescribed for IM 101 portable tanks in § 130.605(d), except that an internal inspection is not required; (iii) reinspected once every five years in accordance with § 180.605(e), as prescribed for a DOT Specification 51 portable tank, except an internal inspection is not required provided an ultrasonic thickness test is performed; and (iv) retested once every five years in accordance with § 180.605(e) as prescribed for a DOT Specification 51 portable tank. Ultrasonic thickness testing used as an alternative to an internal inspection, it must be performed in conformance with applicable procedures specified for thickness testing of cargo tanks as set forth in § 180.407(i).

b. Each tank must be plainly marked on both sides, near the middle, in letters at least two inches high, on a contrasting background, as follows: "DOT-E 7073".

c. Each tank is subject to the provisions of § 174.63(b) and § 174.63(c), except as otherwise provided in this exemption.

d. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

e. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

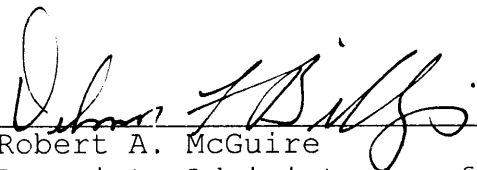
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements of this exemption in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator for
Hazardous Materials Transportation

NOV 12 2004
(DATE)

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590-0001.
Attention: DHM-31.

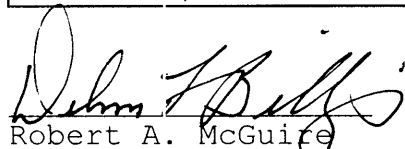
Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: PTO/AM

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Afton Chemical Corporation Richmond, VA	Jun 7, 2004	Jul 2, 2004	Jun 30, 2005



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety